

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76554 of 2019

Arising Out of PS. Case No.-31 Year-2018 Thana- MAHILA P.S. District- Samastipur

MD. AAJAD @ AAJAD ANSARI @ MD. AZAD @ MD. AZAD ANSARI
Son of Maksud Resident of Village-Gaddopur Momin tola, P.S-N.H.Bangara,
District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Suneil Kumar Thakur, Adv.
	:	Mr. Ashraf, Adv.
For the Opposite Party/s	:	Mr.Nand Kishore Prasad, A.P.P.
For the Informant	:	Mr. Chaudhary Shyam Nandan, Adv.

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 05-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 323/34, 341, 376, 504 of the
Indian Penal Code and Section 4 POCSO Act.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has not committed any offence. In fact, there is
no specific allegation against the petitioner rather the
specific allegation of commission of rape upon the victim is
attributed to the co-accused, Md. Ajaj. Moreover, the instant
F.I.R. has been lodged after lapse of two weeks from the date



of occurrence without explaining the plausible delay which creates doubt over the prosecution version. As a matter of fact, the medical report does not speak out any sign of rape besides that the age of the victim has been assessed as 17-18 years, which is evident from Annexure-3. The petitioner is languishing in judicial custody since 31.07.2019.

Learned counsel for the informant has opposed the prayer for bail.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st -cum- Special Judge, POCSO Act, Samastipur, in connection with Mahila P.S. Case No. 31 of 2018.

(Arvind Srivastava, J)

brajesh/-

U		T	
---	--	---	--

